

## **REMARKS**

In response to the final Office Action dated September 19, 2011, the Assignee respectfully requests continued examination and reconsideration based on the above amendments and on the following remarks.

Claims 1-9, 12-18, 34, and 39 are pending in this application. Claims 10-11, 19-33, 35-38, and 40-43 have been, or previously were, canceled without prejudice or disclaimer.

### **Rejection of Claims under § 103 (a)**

The Office rejected claims 1-9, 12-20, 26, 34, 37, 39, and 42 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Application Publication 2002/0072927 to Phelan in view of U.S. Patent Application Publication 2005/0027983 to Klawon.

First, claims 19-20, 26, 37, and 42 have been canceled, so the rejection of these claims is moot.

Next, the rejection of remaining claims 1-9, 12-18, 34, and 39 has been rendered moot by amendment. These claims have been amended to further recite, or incorporate, features that distinguish over *Phelan* with *Klawon*. Independent claim 1, for example, recites “*receiving a text message ... comprising a request for customer information associated with a telephone number of a customer.*” Support for such features may be found at least at paragraph [0046] of the as-filed application. Independent claim 1 also recites “*sending a query for the telephone number to an external credit rating agency system*” and “*retrieving external credit rating information associated with the telephone number from the external credit rating agency system.*” Support for such features may be found at least at paragraphs [0066] and [0079] of the as-filed application. Independent claim 1 also recites “*storing a database in the memory that associates telephone numbers to internal credit rating information*” and “*querying the database for the telephone number associated with the customer.*” Independent claim 1 also recites

*“retrieving the internal customer information associated with the telephone number.”* Support for such features may be found at least at paragraphs [0078]-[0079] of the as-filed application. Independent claim 1 also recites *“sending a response to the text message to the wireless device, the response comprising the external credit rating information and the internal customer information.”* Support for such features may be found at least at paragraph [0046]. Independent claims 34 and 39 have been amended to recite similar features.

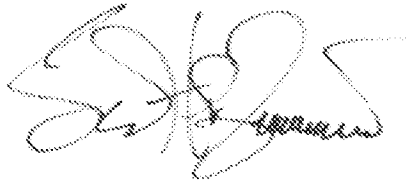
At least these features are not obvious over *Phelan* with *Klawon*. The proposed combination of *Phelan* with *Klawon* describes pooling of credit information and appraising merchants. Still, though, *Phelan* with *Klawon* fails to teach or suggest *“receiving a text message ... comprising a request for customer information associated with a telephone number of a customer.”* The proposed combination of *Phelan* with *Klawon* also fails to teach or suggest *“sending a query for the telephone number to an external credit rating agency system”* and *“retrieving external credit rating information associated with the telephone number from the external credit rating agency system.”* The proposed combination of *Phelan* with *Klawon* also fails to teach or suggest *“storing a database in the memory that associates telephone numbers to internal credit rating information”* and *“querying the database for the telephone number associated with the customer.”* The proposed combination of *Phelan* with *Klawon* also fails to teach or suggest *“retrieving the internal customer information associated with the telephone number.”* The proposed combination of *Phelan* with *Klawon* also fails to teach or suggest *“sending a response to the text message to the wireless device, the response comprising the external credit rating information and the internal customer information.”* Because *Phelan* with *Klawon* fails to teach or suggest at least all these features, one of ordinary skill in the art would not think that the independent claims are obvious.

Claims 1-9, 12-18, 34, and 39, then, cannot be obvious. The independent claims recite many distinguishing features, and the dependent claims incorporate these same features and recite additional features. Claims 1-9, 12-18, 34, and 39, then, cannot be obvious, so the Office must remove the rejection.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

**37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically transmitted via the USPTO EFS web interface on December 15, 2011.

A handwritten signature in black ink, appearing to read "Scott P. Zimmerman", with a stylized flourish at the end.

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